

AF IPW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Falk FISH
Application No.: 09/763,411
Filed: May 16, 2001
For: METHOD FOR DETERMINATION OF ANALYTE CONCENTRATION IN BLOOD

Art Unit: 1645
Examiner: JANA A. HINES
Washington, D.C.
Atty.'s Docket: FISH=4
Date: December 28, 2004
Confirmation No. 9137

Corres. and Mail
BOX AF

THE COMMISSIONER OF PATENTS
2011 South Clark Place, Mail Stop AF
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

Transmitted herewith is a [XX] REPLY: AMENDMENT AND REMARKS in the above-identified application.

- [] Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.
[XX] No additional fee is required.
[] The fee has been calculated as shown below:

**RESPONSE UNDER 37 CFR 1.110
EXPEDITED PROCEDURE
EXAMINING GROUP 1645**

	(Col. 1)		(Col. 2)		(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR		PRESENT EXTRA EQUALS
TOTAL	* 9	MINUS	** 20		0
INDEP.	* 2	MINUS	*** 3		0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 25	\$
x 100	\$
+ 180	\$
ADDITIONAL FEE TOTAL	
\$	

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
x 50	\$
x 200	\$
+ 360	\$
TOTAL	
\$	

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
*** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

- [XX] Conditional Petition for Extension of Time
If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

- [] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity
Response Filed Within
[] First - \$ 60.00
[] Second - \$ 225.00
[] Third - \$ 510.00
[] Fourth - \$ 795.00
Month After Time Period Set

Other Than Small Entity
Response Filed Within
[] First - \$ 120.00
[] Second - \$ 450.00
[] Third - \$ 1020.00
[] Fourth - \$ 1590.00
Month After Time Period Set

- [] Less fees (\$) already paid for month(s) extension of time on .

- [] Please charge my Deposit Account No. 02-4035 in the amount of \$.
[] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$.
[] A check in the amount of \$ is attached (check no.).

- [XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK, P.L.L.C.
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By:
Anne M. Kornbau
Registration No. 25,884



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: FISH=4

In re Application of:)	Conf. No.: 9137
)	
Falk FISH)	Art Unit: 1645
)	
Appln. No.: 09/763,415)	Examiner: JANA HINES
)	
Date Filed: May 16, 2001)	Washington, D.C.
)	
For: METHOD AND KIT FOR THE)	December 28, 2004
DETERMINATION OF ANALYSIS...)	

REPLY: AMENDMENT AND REMARKS

Customer Window, Mail Stop **AF**
Honorable Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

Sir:

Replying to the Office Action mailed September 29,
2004, please amend as follows:

Amendments to the Claims are reflected in the listing of
claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.